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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,523	03/20/2001	Hiroshi Yamada	1405.1041	9422

21171 7590 08/03/2004

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

CAO, CHUN

ART UNIT PAPER NUMBER

2115

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/811,523	<b>Applicant(s)</b> YAMADA ET AL.	
	<b>Examiner</b> Chun Cao	<b>Art Unit</b> 2115	

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAIL ACTION**

1. Claims 1-18 are presented for examination.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.
3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA), in view of Silvester (Silvester), US patent no. 6,631,469.

Silvester is a prior art cited in prior office action in paper no. 4.

As to claims 1, 3 and 5, AAPA discloses an information processing device configured with at least one interface section enabling a wake-up instruction for starting up operationally stopped functional units in a power-off state or a suspend state, a man-machine interface, a memory, and a processor, connected by a chipset having a bus control function [page 1, lines 16-24], the information-processing device characterized in that:

an operational mode for the functional units when started up from either said power-off state or said suspend state being a normal operational mode use-enabling the functional units in their entirety including the man-machine interface [page 1, line 24- page 2, line 12; page 3, lines 4-13].

AAPA fails to suggest that an exclusive operation mode use-enabling some of the functional units on starting up from either said power-off state or said suspend state, including said interface section having performed input/output processing of data, said memory, said processor and said chipset. In other words, in the exclusive operational

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mode that enables use of a portion of functions to instruct wake-up upon starting up from either said power-off state or said suspend state.

Silvester discloses that an exclusive operation mode [mini OS mode] use-enabling some of the functional units on starting up from either said power-off state or said suspend state, including said interface section having performed input/output processing of data, said memory, said processor and said chipset [col. 2, lines 47-50; col. 4, lines 1-18]; one of said normal operation mode and said exclusive operational mode is selected by said interface section execution the wake-up instruction [col. 1, lines 54-63]; and when said exclusive operational mode is terminated, the information-processing device goes to its pre-start-up state, either said power-off state or said suspend state [col. 4, lines 48-51].

It would have been obvious to one of ordinary skill in the art at time the invention to combine the teachings of AAPA and Silvester because the specify teachings of Silvester stated above would further reduce the power consumption of the AAPA system and shorten the transition time from reduced powered mode to the operational mode of the AAPA system by only enables necessary function units in response a wake-up signal.

As per claim 2, inherently, Silvester teaches that data changed in the exclusive operational mode and data change recognition flags indicating data has been changed are stored in a predetermined memory area different from a memory area for storing data used in the normal operation mode [col. 4, lines 35-47].

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As per claim 4, Silvester teaches of being configured to select the exclusive operational mode, and to supply operational power to and perform information processing on only resources used in the exclusive operational mode, when the information-processing device is started up from a designated said interface unit or said input/output device [col. 4, lines 9-15].

As per claim 6, AAPA discloses that the interface unit is provided with a radio transmission-reception function [page 4, lines 12-17]. Silvester discloses that the information-processing device therein being configured to set an exclusive operational mode flag when the designated said interface unit via radio transmission reception function [col. 2, lines 31-34] receives a wake-up signal in suspend state for causing a start-up process for said operation system for said exclusive operational mode to be carried out [col. 2, lines 54-61; col. 4, lines 31-44].

4. As to claims 7, 8 and 18 are written in means plus function format and contain the same limitations as claim 1, therefore the same rejection is applied.

As to claims 9-13 are written in means plus function format and contain the same limitations as to claims 2-6 respectively, therefore the same rejection is applied.

5. As to claims 14-16, AAPA and Silvester together teach the claimed system. Therefore, AAPA and Silvester together teach the claimed method of steps to carry out the system.

6. As to claim 17, AAPA and Silvester together teach the claimed system. Therefore, AAPA and Silvester together teach the claimed recording medium to carry out the system.

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7. In the remarks, applicant argued in substance that AAPA and Seller fails to suggest an exclusive operational mode, which is a state where only a part of the functions are turned on.
8. As to this point, Silvester discloses the limitations stated above, see rejection in claim 1 in paragraph 3.
9. Applicant's argument with respect to claims 1-18 has been considered but is not persuasive.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717. The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chun Cao

July. 26, 2004